

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

PHILLIP BELL JR.; LORNA BARNES; and  
ANTHONY BARNES,

Plaintiff,

v.

SADDLEBACK VALLEY UNIFIED SCHOOL  
DISTRICT; KLUTCH SPORTS;  
NEXT LEVEL SPORTS & ACADEMICS; and  
ISAHIA SANDOVAL; EDWARD WONG  
TRICIA OSBORNE, CHAD JOHNSON;  
STEVE BRISCOE, AND DOES 1-20 in their  
individual and official capacities,

Defendants.

Case No.: 4:24-CV-05545-JST

**PLAINTIFFS' RESPONSE TO DEFENDANT  
CIF'S MOTION TO DISMISS PLAINTIFFS'  
FIRST AMENDED COMPLAINT  
PURSUANT TO FEDERAL RULES OF  
CIVIL PROCEDURE, RULE 12(B)(6)**

Hon. Judge Jon S. Tigar

## I. INTRODUCTION

Plaintiffs PHILLIP BELL, JR., LORNA BARNES, and ANTHONY BARNES ("Plaintiffs") submit this Opposition to Defendant CALIFORNIA INTERSCHOLASTIC FEDERATION's ("CIF") Motion to Dismiss. Contrary to CIF's arguments, this case is not merely about CIF's enactment of rules regarding student-athlete eligibility, but rather CIF's knowing failure to enforce its own rules as required under the law. Plaintiffs have sufficiently alleged facts demonstrating CIF's awareness of and deliberate inaction regarding violations of its regulations, which contributed to the harm suffered by Plaintiffs. At this stage, the Court should deny CIF's Motion to Dismiss in its entirety. However, should the Court find any deficiency in Plaintiffs' First Amended Complaint ("FAC"), Plaintiffs respectfully request leave to amend.

## II. STATEMENT OF RELEVANT FACTS

### A. Procedural Background

Plaintiffs initiated this action on August 20, 2024, alleging seven causes of action: (1) Violation of the Fourteenth Amendment – Interference with a Familial Relationship (42 U.S.C. § 1983); (2) Monell claim (42 U.S.C. § 1983); (3) Negligence; (4) Negligence – Respondeat Superior; (5) Intentional Infliction of Emotional Distress – Respondeat Superior; (6) Negligent Infliction of Emotional Distress; and (7) Intentional Infliction of Emotional Distress. Plaintiffs initially filed their Complaint without naming CIF as a Defendant. However, as the case progressed, Plaintiffs identified CIF’s failure to enforce its own regulations as a critical factor contributing to the harm alleged, leading to CIF’s inclusion as a Defendant in the First Amended Complaint. On January 6, 2025, this Court issued a Notice setting an Initial Case Management Conference for March 25, 2025, at 2:00 p.m. before the Honorable Jon S. Tigar.

### B. Factual Background

This case concerns CIF’s failure to act despite being put on notice of multiple parties taking advantage of a minor and illegally interfering with the familial relationship, resulting in lasting and significant harm. CIF was informed that a high school teenager, PHILLIP BELL III (“PHILLIP III”), was blocked from any contact with his family and controlled by adults who sought to exploit his athletic abilities for their own benefit. CIF had knowledge that PHILLIP III’s family was being wrongfully deprived of crucial moments in his life, including his senior year of high school, college decision-making period, and the time following his mother’s passing when he most needed familial support.

Despite CIF being notified that a custody agreement was being violated, a court decision mandating a different course for the child’s well-being was being ignored, court-ordered counseling was not being provided, and a convicted felon without custody rights was knowingly and wrongfully treated

1 as the sole parental decision-maker, CIF failed to take any action. CIF did not investigate or inquire into  
2 these clear violations of its own regulations. CIF was specifically made aware of misconduct involving  
3 Brisco, Next Level, and Saddleback Valley School District and its agents, yet it failed to initiate any  
4 investigation or enforcement of its own policies. CIF's deliberate inaction in the face of these clear  
5 violations demonstrates its knowing failure to enforce its own regulations, furthering the harm inflicted  
6 on PHILLIP III and his family.  
7

8 PHILLIP III was enrolled as a senior at Mission Viejo High School (hereinafter referred to as  
9 "MISSION") without the consent of FATHER and is residing at an address that has not been disclosed to  
10 FATHER by MISSION. (FAC, at 11). SAMANTHA BARNES (hereinafter referred to as "SAMANTHA") is the  
11 biological mother of PHILLIP III. (FAC, at 12). The maternal grandparents of PHILLIP III, Maria Lorna  
12 Barnes and Anthony Barnes (hereinafter referred to as "GRANDPARENTS" OR "PLAINTIFFS" collectively),  
13 helped raise PHILLIP III and have a custodial interest. (FAC, at 12,13). FATHER lived in Folsom,  
14 California, and shared 50/50 custody with SAMANTHA, who lived in nearby Sacramento, California. (FAC,  
15 at 26,27).  
16

17 PHILLIP III lived in Sacramento with SAMANTHA and ISAIAH SANDOVAL (hereinafter referred to  
18 as "SANDOVAL" individually or "DEFENDANTS" collectively). SANDOVAL is the former husband of  
19 SAMANTHA BARNES. SANDOVAL has no legal custody right to PHILLIP III. (Exhibit A- Custody  
20 Agreement). (FAC, at 18,25).  
21

22 While in Sacramento, PHILLIP III's athletic talent began attracting attention from coaches and  
23 scouts. (FAC, at 30). SANDOVAL, a convicted felon, degenerate gambler, drug user, and money-hungry  
24 stepfather, brokered a deal through devised a scheme to capitalize on the talents of PHILLIP III. (Exhibit  
25 B- Criminal Record). (FAC, at 31). SANDOVAL brokered a compensated deal with STEVE BRISCO  
26 (hereinafter referred to as "BRISCO" individually or "DEFENDANTS" collectively), the owner and operator  
27 of the nonprofit company, NEXT LEVEL. The deal was done under undue influence, and sent PHILLIP III  
28 play football for Bishop Alemany in Southern California, which has a record of prior incidents involving

1 unlawful sports recruitment practices, in direct violation of California Interscholastic Federation Rules.  
2 (Exhibit C- Bishop Alemany Prior Records). (FAC, at 22,32,34,37).

3 PLAINTIFFS began to be concerned when PHILLIP III was moved to Los Angeles California, in  
4 direct violation of the custody agreement. (FAC, at 35). After an unsuitable month at Bishop Alemany,  
5 SANDOVAL and SAMANTHA moved again and enrolled PHILLIP III at MISSION without FATHER'S  
6 knowledge or consent. (FAC, at 38). PHILLIP III reached out to FATHER in distress stating he did not  
7 want to be in Los Angeles, and was upset by the domestic violence and drug use between SAMANTHA and  
8 SANDOVAL. GRANDPARENTS also would visit SAMANTHA to find that there was no food in the home,  
9 alcohol was easily accessible, and there was little to no furniture. (Exhibit D - Police Reports). (FAC, at  
10 41,42,43,45).

11  
12 PLAINTIFFS immediately filed a legal action in Superior Court of California, requesting that  
13 PHILLIP III be returned to Sacramento to attend his old school, Catholic High School Christian Brothers, in  
14 which the Judge ordered SAMANTHA and SANDOVAL to return PHILLIP III to FATHER in Sacramento  
15 immediately after his first semester at MISSION. (Exhibit E, County of Sacramento Court Order). (FAC, at  
16 48,50).

17  
18 In his first semester at MISSION, PHILLIP III helped the football team capture a Division I-A State  
19 Football Championship and in the state title game, PHILLIP III was recognized as the most valuable player.  
20 (FAC, at 51). SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT (hereinafter referred to as "DISTRICT"  
21 individually or "DEFENDANTS" collectively) is a public school district under the laws of California.  
22 DISTRICT, SAMANTHA, and SANDOVAL were aware of the Court Order to have PHILLIP III return to  
23 Christian Brothers, but ignored it. (FAC, at 14,52). SAMANTHA would then enter PHILLIP III into a  
24 contractual relationship with KLUTCH, a Los Angeles-based sports agency. FATHER was not aware of  
25 PHILLIP III's contractual relationship with KLUTCH nor did FATHER consent to it. (Exhibit F - KLUTCH  
26 Contract). (FAC, at 55,57). Approximately nine months after the move to Los Angeles, SAMANTHA died  
27 under suspicious circumstances. (FAC, at 59).  
28

1 On or about June 25th, 2024 SAMANTHA and SANDOVAL were allegedly vacationing in Las Vegas,  
2 Nevada. SAMANTHA, a type 1 diabetic, was without her medicine and was supplied cocaine by  
3 SANDOVAL. SAMANTHA began vomiting to the point of becoming lethargic. (FAC, at 60,61,63).  
4 Instead of seeking medical assistance, SANDOVAL left SAMANTHA in their hotel room alone for hours and  
5 allegedly went out gambling with SAMANTHA's money. (FAC, at 64). After receiving a phone call that  
6 SAMANTHA was found dead, SANDOVAL left Las Vegas almost immediately, taking only SAMANTHA's  
7 bank cards, phone, purse, and thousands of dollars in casino chips, leaving all of her other belongings  
8 behind. (FAC, at 66). The next day SANDOVAL went shopping with SAMANTHA'S bank card spending  
9 nearly a thousand dollars on items at a Footlocker in Los Angeles. (Exhibit G- Bank Statements). (FAC, at  
10 67).

11  
12 PHILLIP III called FATHER in tears over the news of his mother's death, and FATHER immediately  
13 flew to Los Angeles for his son. (FAC, at 68). PHILLIP III provided his FATHER his address but when  
14 FATHER arrived at the address SANDOVAL coerced PHILLIP III not to open the door. (FAC, at 69,70).  
15 After SAMANTHA's death, PHILLIP III was harbored without parental consent at another high school  
16 student's home that was organized with MISSION and DISTRICT. (FAC, at 72).

17  
18 DISTRICT and MISSION immediately decided to re-enroll PHILLIP III in school for his senior year  
19 with SANDOVAL and BRISCO listed as his guardians, although they knew that it violated DISTRICT's policy  
20 because FATHER, the only parent with custody rights, lived over 400 miles away from the DISTRICT.  
21 (Exhibit H - SVUSD Residency Verification Form). (FAC, at 75). DISTRICT and MISSION publicly  
22 promoted a GoFundMe page started by SANDOVAL which stated that it would be used for SAMANTHA'S  
23 funeral expenses and children although they knew that he did not have custodial rights. (FAC, at 76).

24  
25 KLUTCH also monetarily supported this GoFundMe, and SANDOVAL did not use any of the funds  
26 from the go fund me for SAMANTHA'S funeral, but demanded that GRANDPARENTS pay for all expenses.  
27 (Exhibit I- GoFundMe Screenshots); (Exhibit J- Funeral Text Messages). (FAC, at 77,78,79).

28  
DISTRICT and MISSION also allowed PHILLIP III to participate in summer football practice  
without consent from FATHER. (FAC, at 82). After learning of this, on July 5, 2024, PLAINTIFF'S sent a

1 cease-and-desist letter to all DEFENDANTS asking them not to have contact with PHILLIP III and to notify  
2 them of PHILLIP III's whereabouts. (See Exhibit K- Cease and Desist Letter). (FAC, at 83,84). The  
3 cease-and-desist was ignored and violated by all DEFENDANTS in direct violation of California law, the  
4 court order, and CIF regulations. (Exhibit L- Football Screenshot). (FAC, at 85). BRISCO and NEXT LEVEL  
5 also intentionally interfered with the PLAINTIFFS custodial rights by fraudulently adding himself as an  
6 emergency contact on official school documentation, claiming to be PHILLIP III's uncle. (FAC, at 86).  
7

8 EDWARD WONG (hereinafter referred to as "WONG " individually or "DEFENDANTS" collectively)  
9 was the Board President of DISTRICT at all relevant times. TRICIA OSBORNE (hereinafter referred to as  
10 "OSBORNE" individually or "DEFENDANTS" collectively) was an agent of DISTRICT and worked at  
11 MISSION as the school's principal. CHAD JOHNSON (hereinafter referred to as "JOHNSON " individually or  
12 "DEFENDANTS" collectively) was an agent of DISTRICT and worked at MISSION as the Head Football  
13 Coach. (FAC, at 19,20,21). MISSION, DISTRICT, OSBORNE, and JOHNSON were all aware of SAMANTHA's  
14 death, SANDOVAL's lack of custodial rights, BRISCO's fraudulent claim of relation to PHILLIP III, but still  
15 allowed PHILLIP III to enroll at MISSION for the 2024-2025 school year without parental consent.  
16 (Exhibit M- 2024-2025 MISSION Enrollment). (FAC, at 93). When PLAINTIFFS reached out with concern  
17 for their son and grandson, OSBORNE and JOHNSON disclosed that they were aware of PHILLIP III's  
18 location but refused to share it. (FAC, at 96). JOHNSON intentionally interfered with PLAINTIFFS' rights  
19 by making promises to PHILLIP III that he would be able to participate in football even if he did not have  
20 any consent from PLAINTIFFS. (FAC, at 98). DISTRICT, WONG, JOHNSON, and OSBORNE also took  
21 PHILLIP III and SANDOVAL 2,400 miles across state lines on a trip to Hawaii for a football game without  
22 PLAINTIFFS' consent. (Exhibit N- Hawaii Screenshot). (FAC, at 100). DEFENDANTS used the influence of  
23 trips, living in opportunities with millionaires, clothing, housing, fame, fortune, and other resources to  
24 manipulate a minor to not have contact with his whole family, so they could continue to profit from  
25 PHILLIP III's success in direct violation of CIF regulation, California law, and the United States  
26 Constitution and Common Law. (FAC, at 101,107). CIF was made aware of the relevant facts and chose  
27  
28

not to take any action, failing to conduct even a minimal investigation into Brisco, Next Level, or the Saddleback Valley School District and its agents.

## ARGUMENT

### A. STANDARDS ON A MOTION TO DISMISS

A Motion to Dismiss should be denied if the subject complaint contains factual allegations adequate to give defendants fair notice of the pending claims and enables them to defend themselves if the complaint's allegations, taken as true, plausibly suggest entitlement to relief. *Starr v. Baca*, 652 F.3d 1202, 1216-1217 (9th Cir. 2011), rehearing en banc denied, 659 F.3d 850 (9th Cir. 2011). When ruling on a dismissal motion, the Court must accept as true all factual allegations in the complaint. *Erickson v. Pardus*, 551 U.S. 89, 94 (2007). The Court must also draw inferences in favor of the plaintiff; the complaint should be construed favorably to the pleader. *Scheuer v. Rhodes*, 416 U.S. 232, 236 (1974); see also *Walleri v. Federal Home Loan Bank of Seattle*, 83 F.3d 1575, 1580 (9th Cir. 1996). "To survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to 'state a claim to relief that is plausible on its face.'" *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (citations omitted). "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.*, 556 U.S. at 677-78.

"A complaint should not be dismissed unless it appears beyond doubt that the plaintiff can prove no set of facts in support of the claim that would entitle the plaintiff to relief." *Sprewell v. Golden State Warriors*, 266 F.3d 979, 988 (9th Cir. 2001). Dismissal for failure to state a claim is proper "only if it is clear that no relief could be granted under any set of facts that could be provided consistent with the allegations." *Hishon v. King & Spalding*, 467 U.S. 69, 73 (1984). The issue is whether the plaintiff is entitled to offer evidence to support the claims, not whether based on a complaint's allegation they will prevail as a matter of law. *Scheuer*, *supra* 416 U.S. at



236 (*no quotations added*). Furthermore, the Ninth Circuit has “repeatedly held that a district court should grant leave to amend even if no request to amend the pleading was made, unless it determines that the pleading could not possibly be cured by the allegation of other facts.” *Lopez v. Smith*, 203 F.3d 1122, 1130 (9th Cir. 2000).

As applied to Monell, this jurisdiction has specifically held that at this stage of litigation (“Plaintiff’s complaint may be dismissed only when defendant’s plausible alternative explanation is so convincing that plaintiff’s explanation is *implausible*”) (emphasis in original). Certainly, Plaintiff will need evidence to support its *Monell* claim at trial (and even to withstand a motion for summary judgment, if the Defendants files one). But the Defendants cannot avoid continuing the litigation at this stage merely by raising doubts about the persuasiveness of Plaintiff’s eventual proof, so long as Plaintiff’s allegations are plausible, which they are. *Martin v. City of Portland*, No. 3:19-cv-1647-SI, at \*11-12 (D. Or. Jan. 21, 2020) At this stage of the litigation plaintiff does not need to set out “detailed factual allegations.” *BellAtl. Corp.*, 550 U.S. at 555.

#### IV. LEGAL ARGUMENT

##### A. Plaintiffs’ Complaint Sufficiently Alleges That CIF Followed a Policy as Defined in Monell

CIF argues that Plaintiffs’ Complaint fails to sufficiently allege that CIF followed a policy, custom, or practice that satisfies the Monell standard. However, a properly pled Monell claim does not require exhaustive factual detail but must provide sufficient allegations to give the defendant fair notice of the claim and allow for meaningful discovery.

Under *Monell v. Dep’t of Soc. Servs.*, 436 U.S. 658, 694 (1978), a municipality or similar entity may be liable under 42 U.S.C. § 1983 when an official policy, custom, or practice is the moving



1 force behind a constitutional violation. A Monell claim can be established in three ways: (1) by  
2 identifying an express policy that causes the constitutional deprivation, (2) by demonstrating a  
3 widespread practice that amounts to a custom, or (3) by establishing that a person with final  
4 policymaking authority caused the constitutional injury. See *City of Oklahoma City v. Tuttle*, 471  
5 U.S. 808, 823-24 (1985); *Pembaur v. City of Cincinnati*, 475 U.S. 469, 480-81 (1986).  
6

7  
8 Here, Plaintiffs explicitly allege that CIF followed an "expressly adopted official policy to ignore  
9 the CIF rules and 'put the child first.'" (ECF No. 27, § 172). This claim meets the pleading  
10 standard outlined in *Ashcroft v. Iqbal*, 556 U.S. 662 (2009), and *Bell Atl. Corp. v. Twombly*, 550  
11 U.S. 544 (2007). Unlike in *Brown v. County of Mariposa*, where the allegations were purely  
12 conclusory, Plaintiffs provide factual support for their claims by referencing CIF's inaction  
13 despite knowledge of a violation of its own rules. See *Brown v. County of Mariposa*, No.  
14 1:18-cv-01541-LJO-SAB (E.D. Cal.).  
15

16  
17 Furthermore, courts have recognized that policies need not be formally written to constitute a  
18 Monell claim. The Ninth Circuit has held that an unwritten policy or de facto practice can suffice  
19 if it is "so permanent and well settled as to constitute a 'custom or usage' with the force of law."  
20 *Trevino v. Gates*, 99 F.3d 911, 918 (9th Cir. 1996). Plaintiffs' allegations suggest a longstanding  
21 practice by CIF of disregarding its own regulations when convenient, which is sufficient to  
22 survive a motion to dismiss.  
23

24  
25 Plaintiffs have also alleged that Brisco, Next Level, and Saddleback, along with their agents,  
26 violated CIF Bylaw 510, which states: "A. The use of undue influence by any person(s) to secure  
27 or retain a student or their parent(s)/guardian(s)/caregiver as residents may cause the student  
28 to be ineligible for high school athletics for a period of one (1) year and shall jeopardize the  
standing of that high school in the CIF..." CIF's failure to investigate and enforce this bylaw

1 further supports Plaintiffs' claim that its policy, custom, or practice resulted in a constitutional  
2 deprivation. Specifically, CIF failed to implement and enforce its own policies by neglecting to  
3 investigate the undue influence exerted by Brisco, Next Level, and Saddleback Valley School  
4 District. Moreover, CIF allowed Saddleback Valley to implement its own policy of "putting the  
5 child first," effectively bypassing CIF's own established regulations and procedures. This tacit  
6 approval of Saddleback Valley's independent policy underscores CIF's failure to uphold its own  
7 governance and enforce uniform standards, further substantiating Plaintiffs' Monell claim.  
8  
9

### 10 **B. Plaintiffs Have Sufficiently Alleged Causation Under Monell**

11

12 CIF further contends that Plaintiffs fail to establish a causal link between CIF's policy and  
13 the alleged constitutional deprivation. Under Monell, a plaintiff must demonstrate that the  
14 defendant's policy or custom was the "moving force" behind the constitutional violation. Monell,  
15 436 U.S. at 694; see also *Galen v. County of Los Angeles*, 477 F.3d 652, 667 (9th Cir. 2007).  
16  
17

18 Here, Plaintiffs sufficiently allege that CIF's express or de facto policy of ignoring its own  
19 rules resulted in a deprivation of their constitutional rights. The failure to enforce CIF Bylaw 510  
20 directly impacted Plaintiffs by allowing a transfer that allegedly interfered with their familial  
21 relationship. Courts have held that policies leading to state actors facilitating or permitting  
22 conduct that infringes on constitutional rights can meet the Monell causation requirement. See  
23 *Oviatt v. Pearce*, 954 F.2d 1470, 1477 (9th Cir. 1992) (holding that inaction or failure to act in the  
24 face of a known risk of constitutional deprivation can be sufficient for Monell liability).  
25  
26

27 Furthermore, Defendants' argument that CIF had no prior notice of a custody order  
28 defining Student's parental rights is factually inaccurate because Plaintiffs Counsel provide CIF  
with all of the relevant facts. However, even if it was accurate, its irrelevant at this stage because

1 the factual allegations must be accepted as true, and Plaintiffs' claim that CIF's failure to act on  
2 information it received constituted a constitutional deprivation must be evaluated through  
3 discovery.  
4

5 Lastly, Defendants' assertion that CIF's inaction could not have caused any harm is  
6 contradicted by precedent recognizing that deliberate indifference to an individual's rights can  
7 constitute the moving force behind a constitutional violation. See *Connick v. Thompson*, 563 U.S.  
8 51, 61 (2011); *City of Canton v. Harris*, 489 U.S. 378, 388 (1989). Plaintiffs' Complaint, therefore,  
9 sufficiently alleges a Monell claim, and Defendants' motion to dismiss should be denied.  
10  
11

12 **C. Plaintiffs' Complaint Fails to Plead Sufficient Facts to Support the Claim for**  
13 **Failure to Train**

14 CIF contends that Plaintiffs have failed to allege facts sufficient to support a  
15 failure-to-train claim. However, Plaintiffs have met the standard established in *Connick v.*  
16 *Thompson*, 563 U.S. 51 (2011), and its progeny. To prevail on a failure-to-train claim, Plaintiffs  
17 must show that CIF was deliberately indifferent to the need to train its employees and that the  
18 lack of training actually caused the deprivation of constitutional rights. *Flores v. County of L.A.*,  
19 758 F.3d 1154, 1159 (9th Cir. 2014).  
20  
21

22 Plaintiffs have alleged that CIF's existing training program was inadequate in relation to  
23 the tasks its employees were required to perform, that CIF's failure to train amounted to  
24 deliberate indifference to the rights of individuals like PHILLIP III and his family, and that this  
25 inadequacy led to a constitutional deprivation. See *Merritt v. County of Los Angeles*, 875 F.2d  
26 765, 770 (9th Cir. 1989).  
27  
28

1 Further, under Connick, a pattern of similar constitutional violations by untrained  
2 employees is generally necessary to establish deliberate indifference. 563 U.S. at 62. Plaintiffs  
3 have alleged that CIF not only failed to train its employees to handle the usual and recurring  
4 situations they encountered but also failed to act despite clear notice of ongoing constitutional  
5 violations.  
6

7  
8 The FAC asserts that CIF officials, including James Perry and Mike West, were involved in  
9 decisions that directly contributed to the deprivation of Plaintiffs' rights. CIF's failure to train and  
10 oversee its employees enabled the violations to continue unchecked, making it complicit in the  
11 harm suffered by Plaintiffs.  
12

#### 13 **D. PLAINTIFFS SEEK LEAVE TO AMEND IF NECESSARY**

14

15 In the event that the Court finds any deficiencies in the FAC, Plaintiffs respectfully request  
16 leave to amend. Leave to amend should be freely given when justice so requires. Fed. R. Civ. P.  
17 15(a)(2). Plaintiffs are prepared to clarify any allegations necessary to meet the Court's  
18 concerns.  
19

#### 20 **V. CONCLUSION**

21

22 For the foregoing reasons, Plaintiffs respectfully request that the Court deny CIF's Motion  
23 to Dismiss in its entirety. However, should the Court find any deficiency in the FAC, Plaintiffs seek  
24 leave to amend to address any such concerns.  
25  
26  
27  
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Respectfully submitted,

/s/ Jamir Davis

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**PROOF OF SERVICE**  
**Bell, et al. v. Saddleback Valley Unified School District, et al.**  
**Case No. 4:24-CV-05545-JST**

I am over the age of 18, and not a party to this action.  
On February 28, 2025, I served the following document(s) in this matter:

**PLAINTIFFS' RESPONSE TO DEFENDANT CIF'S MOTION TO DISMISS PLAINTIFFS' FIRST  
AMENDED COMPLAINT PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE, RULE  
12(B)(6)**

A true and correct copy of the document(s) was served on all parties in this action, addressed as indicated below, by the following means: Email

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